

MELINDA HAAG (CABN 132612)
United States Attorney

J. DOUGLAS WILSON (DCBN 412811)
Acting Chief, Criminal Division

BRIAN C. LEWIS (DCBN 476851)
Assistant United States Attorney
450 Golden Gate Ave., Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Facsimile: (415) 436-7234
E-Mail: brian.lewis@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
CARLOS ASPRILLA,)
)
Defendant.)

No. CR 10-0348 MHP

**~~[PROPOSED]~~ ORDER EXCLUDING
TIME FROM NOVEMBER 1, 2010 TO
NOVEMBER 15, 2010**

The parties appeared before the Honorable Marilyn Hall Patel on November 1, 2010 for a status conference. With the agreement of counsel for both parties and the defendant, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from November 1, 2010 to November 15, 2010. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need for defense counsel to prepare a motion to suppress.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from November 1, 2010 to November 15, 2010, outweigh the best interest

ORDER EXCLUDING TIME
CR 10-0348 MHP

1 of the public and the defendant in a speedy trial and filing of an indictment or information. 18
2 U.S.C. § 3161(h)(7)(A).

3 3. Accordingly, and with the consent of the defendant, the Court ordered that the period
4 from November 1, 2010 to November 15, 2010, be excluded from Speedy Trial Act calculations
5 under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

6
7 IT IS SO STIPULATED.

8
9 DATED: November 1, 2010

/s/
DEBORAH LEVINE
Counsel for Carlos Asprilla

10
11
12 DATED: November 1, 2010

/s/
BRIAN C. LEWIS
Assistant United States Attorney

13
14
15 IT IS SO ORDERED.

16
17
18 DATED: 11/2/2010 ____

